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| 09/695,684      | 10/24/2000  | Janne Kari           | 460-007649-US       | 1424             |

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| EXAMINER |
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COLBERT, ELLA

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| ART UNIT | PAPER NUMBER |
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3624

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

*ku*

**Office Action Summary**

Application No.

09/695,684

Applicant(s)

KARI ET AL.

Examiner

Ella Colbert

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 24-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-30 are pending. Group I, claims 1-23 have been elected with traverse and will be examined on the merits and claims 24-30 have been withdrawn in Response to the Election/Restriction Requirement filed 07/07/05. The Arguments are addressed in the Response to Arguments Section as set forth here below.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,956,716) Kenner et al, hereafter Kenner in view of (US 5,848,373) DeLorme et al, hereafter DeLorme.

As per claim 1, Kenner teaches, Method for transmission of information to a mobile user, said method comprising: sending an information query including at least one criteria for information to be retrieved from a search terminal by using a browser application program running in the search terminal (col. 1, lines 49-57, col. 2, lines 11-22, and fig. 4 (82), receiving and processing the information query (col. 16, lines 14-48), searching for information (col. 16, lines 17-32), transmitting the information to the search terminal (col. 16, lines 24-30 and lines 42-47), receiving and displaying the

information to the user by the search terminal (col. 16, lines 34-38 and lines 39-42 and fig. 3), and using one or several available servers for the information search, the information search (col. 20, lines 25-38 and fig. 4 (68, 83, and 93). Kenner failed to teach, sending at least one of the following information from the search terminal to at least one of the one or several available servers for receiving and processing of the information query: the current location, travel route of the mobile user; conducting the information search at least partly on the basis of the information sent from the search terminal, and routing the information query sent by the search terminal to at least one of the one or several available servers suitable for the information search at least partly on the basis of the information sent from the search terminal. DeLorme teaches, sending at least one of the following information from the search terminal to at least one of the one or several available servers for receiving and processing of the information query (col. 15, lines 5-20), the current location, travel route of the mobile user; conducting the information search at least partly on the basis of the information sent from the search terminal, and routing the information query sent by the search terminal to at least one of the one or several available servers suitable for the information search at least partly on the basis of the information sent from the search terminal (col. 15, lines 20-23 and col. 22, lines 50-60). DeLorme failed to teach a server. Kenner teaches a server in col. 20, line 52 and fig. 4 (93). It would have been obvious to one having ordinary skill in the art at the time the invention was made to sending at least one of the following information from the search terminal to at least one of the one or several available servers for receiving and processing of the information query: the current location, travel route of

the mobile user; conducting the information search at least partly on the basis of the information sent from the search terminal, and routing the information query sent by the search terminal to at least one of the one or several available servers suitable for the information search at least partly on the basis of the information sent from the search terminal and to modify in Kenner because such a modification would allow Kenner to have spatially related information that can be queried from databases relevant to the selected grid quadrangle.

As per claim 2, Kenner teaches, Method according to Claim 1, further comprising displaying the received information to the user by said browser application program (col. 20, lines 25-34 and col. 21, lines 26-29).

As per claim 3, Kenner teaches, Method according to Claim 1, further comprising, using at least two data transmission channels to transmit the information query from the search terminal (col. 18, lines 30-39).

As per claim 4, Kenner teaches, Method according to Claim 1, further comprising, including the information to be transmitted to the search terminal in a reply message as a response to the information query, and using at least two data transmission channels to transmit the reply message to the search terminal (col. 11, lines 52-64).

As per claim 5, Kenner teaches, method according to Claim 4, further comprising examining by the connection server the amount of information which will be needed to transmit the reply message to the search terminal, wherein the method further comprises selecting by the connection server the most appropriate data transmission

method of said at least two data transmission channels to transmit the reply message to the search terminal (col. 5, lines 53-64, col. 6, lines 41-52, and fig. 4 (68)).

As per claim 6, Kenner teaches, Method according to Claim 1, further comprising transmitting at least part of the information between the search terminal and the means for receiving and processing of the information query by using short messages (col. 8, lines 52-65).

As per claim 7, Kenner teaches, Method according to Claim 6, further comprising displaying at least part of the received information to the user as short messages (col. 10, lines 58-64).

As per claim 8, Kenner teaches, Method according to Claim 1, further comprising forming a data call between the search terminal and the means for receiving and processing of the information query, and transmitting at least part of the information transferred by using said data call (col. 13, lines 26-34).

As per claim 9, Kenner teaches, Method according to Claim 1, further comprising storing user-specific information in at least one user profile data base and utilizing information in the user profile data base as an additional search criterion in the information search, if necessary (col. 25, lines 55-67 and col. 26, lines 1-7).

As per claim 10, Kenner teaches, Method according to Claim 9, further comprising storing user-specific information in the search terminal (col. 26, lines 34-49).

As per claim 11, Kenner teaches, Method according to Claim 1, further comprising storing service-specific information in at least one service data base, and retrieving information from service data bases (col. 4, lines 37-53).

As per claim 12, System for transmitting information to a mobile user, the system comprising: a search terminal comprising means for running a browser application program for sending an information query including at least one criteria for information to be retrieved (col. 4, lines 47-53), means for retrieving the information to the search terminal, and means for transmitting the information to the search terminal (1) col. 4, lines 7-13, fig. 4 (68)). This independent claim is rejected for the similar rationale as given above for claim 1.

As per claim 13, this dependent claim is rejected for the similar rationale as given above for claim 2.

As per claim 14, this dependent claim is rejected for the similar rationale as given above for claim 3.

As per claim 15, this dependent claim is rejected for the similar rationale as given above for claim 3.

As per claim 16, this dependent claim is rejected for the similar rationale as given above for claim 6.

As per claim 17, this dependent claim is rejected for the similar rationale as given above for claim 7.

As per claim 18, this dependent claim is rejected for the similar rationale as given above for claim 8.

As per claim 19, this dependent claim is rejected for the similar rationale as given above for claim 9.

As per claim 20, this dependent claim is rejected for the similar rationale as given for claim 10.

As per claim 21, Kenner teaches, a System according to Claim 12, further comprising at least one service data base for storing information on suppliers of the service, and wherein the means for retrieving information are adapted to also use information contained in the service data base in addition to the search criterion in the information retrieval, if necessary (col. 5, lines 17-38). This claim is also rejected for the similar rationale as given above for claim 11.

As per claim 22, Kenner teaches, System according to the Claim 12, further comprising at least one connection server and at least one remote server (Fig. 4 (83 & 93) means for setting up a data transmission connection between the search terminal and the connection server (col. 4, lines 54-64 and co. 6, lines 41-52), and means for setting up a connection between the connection server and the remote servers (col. 5, lines 56-64).

As per claim 23, Kenner failed to teach, System according to the Claim 12, further comprising wireless communication means for transmitting information at least partly in a wireless manner. DeLorme teaches, the transmission of information is at least partly in a wireless manner (col. 12, lines 40-62, fig. 2 and fig. 4 (45)). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the transmission information at least partly in a wireless manner and to modify in Kenner because such a modification would allow Kenner to have a system with communication links that are wireless for the transmission and exchange of data for



display or other use such as user location information as well as other spatially related data.

### ***Response to Arguments***

4. Applicants' arguments with traverse in response to the Election/Restriction filed 07/07/05 have been considered but are not persuasive.

Applicants' argue: The Examiner's argument is unclear and a clearer statement of the reasoning is requested. As pointed out in the last response, all of the claims have the same special technical feature that the information query has information on at least one of the travel route and location and Group I, IV, VI, and VII belong to the same search class and should therefore be examined together. It is pointed out to the Examiner that an improper division of the invention may lead to multiple patents for the same invention, if divisional applications are filed later on. Response: Independent claims 1 and 12 have different features than claim 24, claim 25, claim 26, claim 27, claim 28, and claims 29 and 30. Claim 24 has different features than claim 25, claim 25 has different features than claim 26, claim 26 has different features than claim 27, claim 27 has different features than claim 28, and claims 29 and 30 have different features than the other restricted claims as discussed in the Restriction of 05/31/05. A restriction is based on the claim limitations of the independent claims and how the claim limitations differ in each independent claim. The requirement is still deemed proper and is therefore made FINAL.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

D'Amico et al (US 5,579,379) disclosed a controller that updates the subscriber's home location registration number.

Emery et al (US 5,758,281) disclosed the AIN accesses the home location register to determine the current location.

### **Inquiries**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday-Thursday, 6:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 571-272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "E. Colbert", with a long horizontal stroke extending to the right.

**E. Colbert**  
**Primary Patent Examiner**  
September 26, 2005